

In re Appln. of Azmi B. Osman
Serial No. 10/028,743
Reply To Office Action Of September 24, 2003

REMARKS

This Amendment is in response to the Office Action dated September 24, 2003. Applicant thanks the Examiner for allowing Claims 17 and 18 and noting that Claims 2-4 and 12-14 would be allowable if rewritten in independent form.

In the September 24, 2003 Office Action the Examiner:

- (1) rejects Claims 1, 5-11, and 16 under 35 U.S.C. §102(b) as being anticipated by Gerald (2,110,124); and
- (2) rejects Claim 15 under 35 U.S.C. §102(b) as being anticipated by or in the alternative under 35 U.S.C. §103(a) as being obvious over Gerald.

By this response, Applicant amends Claims 1 and 11 to overcome the rejections on the basis of Gerald and adds new Claims 19 and 20. Applicant also amends Claims 2 and 12 to be rewritten in independent form including all the limitations of the base claim as requested by the Examiner. For the reasons stated herein and the claim amendments, Applicant submits that each of the pending Claims 1-20 are in a condition for allowance.

Applicant has amended Claim 1 to clarify that the peripheral sealing portion is symmetrical about the divider and amended Claim 11 to clarify that the mounting flange is symmetrical about the divider. Gerald does not disclose a peripheral sealing portion that is symmetrical about the divider or a mounting flange symmetrical about the divider.

To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why an artisan would have found the

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claimed invention to have been obvious in light of the teachings of the references. Ex parte Clapp 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). Applicant submits that Applicant's invention is not obvious over Gerald because Gerald does not teach or suggest the present invention. Gerald does not specifically discuss the holes being a different size wherein the specification of the pending application specifically discusses the openings being a different size. Further, manufacturing tolerances are present in every manufactured part or assembly.

Applicant has added dependent Claims 19 and 20 to further define the invention, amended Claims 2 and 12 to be rewritten in independent form and respectfully submits that Claims 1-20 are in a condition for allowance.

Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

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Enclosure

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